

## **QUESTION AND ANSWERS**

1. RFP Page 25, Section I, Contract Clauses, I.48:

- A. Regarding FAR clause 52.225-16, Sanctioned European Union Country Services, please provide information on the relevance of this FAR provision to the RFP.

**Answer:** Page 25, Section I, clause I.48, FAR 52.225-16, Sanctioned European Union Country Services (Feb 2000) is deleted in its' entity. This clause is not relevant to the work to be performed under this contract. Specifically, all of the countries set out in this clause are considered high income countries and high income countries will not be utilizing this contract to ship their SNF.

- B. What restrictions are placed on a U.S. firm performing contract tasks in one of the listed countries?

**Answer:** Page 25, Section I, clause I.48, FAR 52.225-16, Sanctioned European Union Country Services (Feb 2000) is deleted in its' entity. This clause is not relevant to the work to be performed under this contract. Specifically, all of the countries set out in this clause are considered high income countries and high income countries will not be utilizing this contract to ship their SNF.

- C. Are there comparable restrictions against a foreign entity performing contract services in the U.S. or on foreign-owned companies' participation in the work?

**Answer:** Possible restrictions may exist against a foreign entity performing contract work in the United States or on a foreign-owned company participating in the work. The answer to this question depends upon the type of work to be performed by the proposed foreign owned company and where the foreign owned entity is incorporated or domiciled. Specifically, there are some statutes and regulations that may prohibit a foreign owned entity or corporation from performing classified work for the United States Government. Please refer to clause I.09, DEAR 952.204-74, Foreign Ownership, or Influence Over Contractor (APR 1984). If you have further questions, please consult your attorney for legal counsel.

2. Please provide a listing by country of the quantities of spent fuel which may be shipped during the duration of the contract.

**Answer:** It is difficult to predict the quantity of spent fuel that may be shipped during the term of the contract (five years from the date of award) as opposed to the remaining duration of the program, approximately seven years. However, the program's listing of developing countries and estimated quantities are contained in Section B.1.1.4 and Tables B-1 through B-5 of the Final Environmental Impact Statement on a Proposed Nuclear

Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel (EIS), Appendix B, Foreign Research Reactor Spent Nuclear Fuel Characteristics and Transportation Casks. Changing of a country's economic status, shipments completed under the program's first contract, reactor facilities no longer possessing eligible spent fuel, and possible future participation and shipments were amplified in the presentation provided by Chuck Messick during the pre-proposal conference on January 9, 2002 and were included in the materials issued subsequent to the conference to prospective offerors on January 18, 2002.

3. Please provide a copy of the Commerce Business Daily announcement for this Solicitation.

**Answer:** The Commerce Business Daily announcement for this solicitation (Request for Proposal No. DE-RP09-02SR22214) is enclosed (Enclosure 3).